

EXHIBIT B

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES HAYDEN,

CASE NO: 1:17CV2635

Plaintiff,

v.

2K GAMES, INC., et al.,

Defendants.

Deposition of JAMES HAYDEN

Cleveland, Ohio

Wednesday, October 30, 2019 - 9:04 a.m.

Reported by:

Angela Nixon, RMR, CRR

Job No.: 26345

1 Q. I'm not asking if you've been there. Are you
2 aware that that painting exists?

3 A. I think it exists through photographs maybe.

4 Q. Okay. And when you inked on Mr. Thompson these
5 two fingers to these two hands with their finger tips
6 touching, were you inspired by Michelangelo?

7 MR. MCMULLEN: Objection.

8 A. I'm not sure what I was inspired by at the time.

9 Q. Were you aware at the time that you inked this
10 that Michelangelo's -- that Michelangelo had depicted hands
11 in a similar style?

12 MR. MCMULLEN: Objection.

13 A. Possibly.

14 Q. Have you ever told anyone, at the time a tattoo
15 was inked, that the NBA players needed your permission
16 before their likeness could be shown with their tattoos?

17 MR. MCMULLEN: Objection.

18 A. Restate that question, please.

19 Q. When you were inking the NBA players, Mr. Green,
20 Mr. Thompson, Mr. James, did you ever tell anyone that your
21 permission would be needed before their likeness could be
22 depicted showing their tattoos?

23 MR. MCMULLEN: Objection.

24 A. No.

25 Q. Is Mr. Thompson a friend of yours?

1 VIDEOGRAPHER: On the record at 2:26.

2 BY MS. CENDALI:

3 Q. Mr. Hayden, do you understand you're still under
4 oath?

5 A. Yes.

6 Q. Have you ever licensed a tattoo for a video game?

7 A. No.

8 Q. Do you know of any other tattooist who has
9 licensed a tattoo for a video game?

10 A. I don't know if there's any that have.

11 Q. None that you know of?

12 A. Not that I know of.

13 Q. Are you familiar with a company called Solid Oak
14 Sketches?

15 A. I've heard of Solid Oak.

16 Q. What do you know about them?

17 A. Just that they are -- I guess they're in -- in
18 court with 2K for a similar case.

19 Q. Did you understand that they filed the first
20 lawsuit against the video game claiming that the tattooists
21 needed to be compensated before including the tattoo on a
22 real live person in a game?

23 MR. MCMULLEN: Objection.

24 A. I didn't know they were the first.

25 Q. And you knew they file such a lawsuit, right?